

## **Summer 2008 Newsletter Subsurface Wastewater Program**

### **Program Director's Message**

#### **Subsurface Wastewater Task Force**

For the past two years a Task Force of individuals outside the Department, consisting of site evaluators, local plumbing inspectors, system installers, system inspectors, other state regulatory agencies, and equipment suppliers has been meeting to consider possible changes to the Subsurface Wastewater Rules. A number of "Position Papers," drafted by subcommittees of the Task Force, were distributed for comment to a larger group, consisting of 150 individuals who expressed interest in providing review comments. We anticipate receiving a final report from the Task Force by July 1, 2008.

Once the final report is received we will incorporate the Task Force recommendations, along with any other changes deemed necessary by the Department into a document of proposed rule changes. This document will be widely circulated for comment prior to commencement of the formal rulemaking process. If the Task Force report is received by July 1, 2008 we anticipate completing the formal rulemaking process by December 31, 2008. An effective date of April 1, 2009 for the rule changes would allow for training of local plumbing inspectors, site evaluators, installers, inspectors, and others through the JETCC sessions prior to full implementation of the rule changes.

#### **E-mail**

In an effort to save money, we are distributing material via e-mail to the greatest extent possible. If you received a printed copy of this newsletter, and would like to receive an electronic version please send us your current email address. Please remember to notify us whenever your e-mail address changes in the future.

#### **Permit Data Entry**

We are making a concerted effort to eliminate the permit data entry backlog, and appreciate your understanding. Because money is entered when received, the monthly report may not show a correct balance, as offsetting permits may not have been entered. Please note that it is not necessary to match permits and money when making your periodic submittals to the Department. Money should be sent as soon as possible to allow for checks to be cashed and help us maintain a reasonable cash flow. The State copy of the permit should be retained until the job is completed and the local plumbing inspector's signature of inspection can be added to all three copies; applicant, municipality, and State; prior to submittal of the State copy.

#### **Site Evaluator Files**

The Department recently received a Freedom of Access Act request from a licensed site evaluator asking for information regarding another licensed site evaluator. Although we have historically considered all information kept in the site evaluator licensing files to be confidential; we have been advised by Department attorneys that without a specific statutory authorization, we cannot refuse to provide this information when requested. The Freedom of Access Act contains a statutory provision which requires the Act to be liberally construed in favor of public access. 1 M.R.S.A. §401. Generally, all public records are open to access unless designated confidential by statute or considered to be privileged under judicial evidentiary rules. Site evaluators should note that this applies to all information contained in your file, including your original application, reference forms, written and field exams, and any letters of consultation or discipline. The only information we can delete is your Social Security number.

Russell Martin, P.E.  
Program Director

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### **Douglas Coombs Joins DHE**

Douglas Coombs, SE has accepted the position of State Site Evaluator. He started with the Division on Monday, March 24. Mr. Coombs joins us from the private sector, and among others, holds licenses as a Site Evaluator, Professional Land Surveyor, and Professional Estimator.

### **Use of ASTM C33-07 Sand with Certain Proprietary Devices**

Site Evaluators, Local Plumbing Inspectors, and System Installers are reminded that certain proprietary devices require the placement of a specific type of sand beneath and around the devices as part of the manufacturer's recommendations for installation. Specifically, the sand must meet [ASTM C33-07](#) Standard Specification for Concrete Aggregates. This material must be specified and clearly shown on the HHE-200 Form and verified in place by the LPI during the inspection process. Failure to follow this procedure may lead to the premature malfunction of the system.

### **Revisions of HHE-200 Form**

When a permitted HHE-200 Form has been revised DO NOT RE-STICKER IT. Send a copy of it to our Augusta office with a note on the top saying what permit it is a revision to. When a new design with a different system configuration or location is prepared; or ownership changes prior to construction, this requires a sticker as a new permit. If you have questions, please call.

### **HHE-211 Form (Internal Plumbing Application)**

The Department will no longer be supplying the triplicate HHE-211 Form. We have placed a copy on our website so you can print it off and make copies, on our [forms page](#). Where the triplicate forms had their copy version printed on the individual pages, this version has three check boxes, one each for Owner, Town, and State copies. Hard copies will be available on an as-needed basis.

### **Engineered System Pre-application Discussions**

Under provisions of Section 1102.1 of the Subsurface Wastewater Disposal Rules, applications for engineered systems require a preliminary discussion between the Division and the designer(s). For many years, this has been construed as meaning face-to-face meetings. These meetings have typically been held at the Division's offices, and occasionally at the proposal's location.

With gasoline over \$4.00 per gallon as I write this, and by all indications heading higher this summer, it seems to make less and less sense to require designers to travel to Augusta for these preliminary discussions. Therefore, the Division extends the option of conducting these discussions by telephone. Not only will this save designers the costs of travel, but time lost in traveling as well.

To facilitate these discussions, it would be helpful if I had something in hand, such as a preliminary plan or written proposal. These could be faxed or e-mailed to us prior to the discussion. We can process MS Office 2007 programs, TurboCAD 2003 or earlier, AutoCAD 14 or earlier, and of course, PDF files and graphics files. (Please note that individual attachments greater than 2 Mb will be rejected by our mail servers.)

Jim Jacobsen, ES IV

### **HHE-200 Forms Available as Adobe PDF Files**

In addition to CAD compatible format, the HHE-200 Form is now available in Adobe PDF format on our web site. A new supplement to Page 2, with four test pit logs, is also now available in both formats. These are all located on our [Forms](#) page on our web site.

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### **Stone Size Specifications**

Stone must be between 3/4 inch and 2 1/2 inches in size, clean, and evenly sized to provide sufficient void space. Table 800.1 (below) defines the gradation for specific nominal sizes. Many Site Evaluators simply quote this specification in their designs. Some installers wrongly interpret the size range as allowing a mix of sizes. Site evaluators may define a more stringent standard for stone size for any particular system, but in any case should specify a nominal acceptable size in their designs. Further, the Maine Department of Environmental Protection specifies a 1 1/2 inch nominal stone size for any system that is being installed under the Small Community Grant Program, in their [SCG Municipal Handbook](#).

### **Quality of HHE-200 Form Completion**

We appear to be experiencing a general decline in the quality of the submissions needing State review. Specifically, some HHE-200 Forms are incomplete, unclear, or contain contradictory information. These conditions delay the approval process and cause additional work for all parties. As site evaluators, please make sure that your work is legible, complete, and accurate before providing your reports to your clients. Please advise your clients that all requested signatures on related forms are necessary for State review and approval. Local plumbing inspectors should not issue permits for incomplete HHE-200 Forms.

### **J.E.T.C.C. Training for 2008**

The Joint Environmental Training Coordinating Committee, in association with the Maine County Soil and Water Conservation Districts, presents On-site Wastewater System Workshops each winter. The workshops for this year took place on ten dates between February and April. All the workshops were very well attended. Contact J.E.T.C.C. at (207) 253-8020 for schedules and information on attending the workshops next year.

### **Policy Statement on Additional Permit Charges by Local Plumbing Inspectors in the Unorganized Territories**

We are working on a policy statement that would allow LPs serving the unorganized territories to charge an addition to the minimum permit fees set by Rule. Municipalities have the authority to establish by rule local permit fee schedules in excess of the minimums set by the State. This policy would help to offset the rising costs of inspections needed in remote areas of the state. As soon as the Attorney General's Office has endorsed the policy a copy will be made available to all LPs serving unorganized territories.

### **Site Evaluator Exams**

The 2008 Site Evaluator examination process began with the written exam, held on May 15, 2008 in Augusta. There were 17 individuals found qualified to take the exam. Six of them sat for the exam, with none passing.

### **Hints for Timely Variance Reviews**

The Division cannot perform a formal variance review until we have received a complete application. This means the variance request has been signed by all parties, except of course, the Division; an HHE-200 is attached; and if required, the easement and/or well release form has been obtained and a copy included with the paperwork.

Here are some helpful hints to speed up the variance review process and cut down on number of phone calls or letters generated to get a variance completed.

- Check the HHE-200 form to make sure that all pertinent information has been completed. This includes lot size, zoning, type of water supply, slopes, Elevation Reference Point, test pit within disposal field, etc.

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- Clearly instruct the property owner to check the variance request form to assure that all the pertinent signatures (SE, LPI, Property Owner, and when applicable Municipal Officers, Pumper) have been obtained before mailing or hand-carrying the variance to the Division. If you, as the LPI or SE, submit the variance to the Division on behalf of the property owner, please be sure that all signatures have been obtained.
- If the site evaluator indicates that an easement or well setback release is necessary, be sure that a copy of the document is included with the variance request paperwork.
- If a variance is faxed to the office for review, follow-up by mailing a clean copy. Frequently, faxed documents have legibility issues.

#### Backfill and Stone Disputes

The Program is frequently asked to make site inspections during the “building season,” for the purpose of arbitrating disputes over backfill or stone quality. The Program no longer is in a position to do this, for a variety of reasons. To address this in part, the August 2005 revision to the Subsurface Wastewater Disposal Rules included measurable specifications for both backfill and stone used in disposal areas.

Under Section 804.2.2, the soil texture for backfill is coarse sand to gravelly coarse sand with approximately 4% to 8% of the sand, silt and clay fraction passing a #200 sieve. The upper limit of clay sized particles in the sand, silt, and clay fraction shall be approximately 2%. The backfill shall contain approximately 15% to 30% (by weight) coarse fragments (gravel 2 mm to 3 inches).

In the event that a dispute arises concerning the quality of either material, samples should be taken and analyzed by a laboratory or an engineering firm.

Under Table 800.1 (below), the maximum percentage of stone passing certain sized screens, by weight, is set forth.

**TABLE 800. 1**  
**Maximum Percent passing by weight**

		Nominal Stone Size				
		2 ½"	2"	1 ½"	1"	¾"
Sieve Size	4"	100	100	100	100	100
	3"	90	95	100	100	100
	2"	10	10	90	95	100
	1"	5	5	10	10	90
	¾"	4	4	5	5	10
	½"	3	3	4	4	5
	¼"	2	2	3	3	4
	#200	2	2	2	2	2

#### New Products

The following products have been approved since the previous newsletter was published:

##### Presby De-Nyte

Presby De-Nyte in conjunction with a Presby Enviro-Septic system reduces nitrate nitrogen. The Presby De-Nyte is designed for use with Presby Enviro-Septic systems exclusively. The units are placed beneath the Enviro-Septic lines and effluent drains down into them via gravity flow. The effluent passes through media filling the units and escapes into the surrounding soil through open topped corrugations. Contact:: Presby

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Environmental, Inc., Attn.: David W. Presby, President, 143 Airport Road, Whitefield, New Hampshire 03598 Telephone: 1-800-473-5298. <http://www.PresbyEnvironmental.com>

### **Bowco Industries EF 235**

The Bowco Industries EF 235 consists of a molded plastic septic tank effluent filter cartridge, rated at 1,500 gallons per day and designed to fit within standard four inch diameter plastic outlet “tees.” The Bowco Industries EF 235 has received National Sanitation Foundation (NSF) approval. Contact: Bowco Industries, Attn.: Richard R. Duffield, 5486 S.E. International Way, Portland, OR 97222 Telephone: 1-503-653-9405. <http://www.bowcoind.com/>

### **The Clean Solution**

The Clean Solution consists of a separate treatment tank which follows a conventional septic tank. The volume of the various models range from 1,000 gallons to 2,600 gallons. The volume is comprised of a section dedicated to an aerated recirculating filter media, a section dedicated to settling, and a pump chamber. The ratio of filter media volume to settling volume varies from model to model. The large volume units have separate pump tanks and integral septic tanks. The Clean Solution is designed for use with conventional onsite sewage disposal areas, and receives a 75% reduction in system sizing when used with a stone and pipe trench. Contact: Wastewater Alternatives, Inc., Attn.: Wesley C. Brighton, 27 Kensington Road, Hampton Fall, NH 03488. Telephone: 1-903-926-9053. <http://www.thecleansolution.com/>

### **Polylok PL-525 Effluent Filter**

The Polylok PL-525 Effluent Filter consists of a plastic housing with a plastic filter insert having 525 linear feet of 1/16 inch slots. The Polylok PL-525 Effluent Filter is designed for use with conventional commercial onsite sewage disposal areas. Contact: Polylok Inc., Attn.: Patrick Mulhall, VP Sales, 60 Capital Drive, Wallingford, CT 06492. Telephone: 1-203-265-1605. <http://www.polylok.com/index.asp>

The following products recently have been approved for use in Maine, based upon meeting NSF/ANSI Standard 40 or other relevant third party standards:

Enviro-Aire EA50 Wastewater Treatment System. [Delta Environmental Products, Inc.](#)

Sun-Mar Composting Toilets, [Sun-Mar Corporation](#)

MicroFAST 0.5 Wastewater Treatment System, [Bio-Microbics, Inc.](#)

ZF450 Wastewater Treatment System, [Zoeller, Inc.](#)

H-TWO-O Series 35T Wastewater Treatment System, Desoto Concrete Products, Inc., (662) 895-6069

Ecoflex EFX 400 and 400B Peat Filters [Premier Tech Environment](#)

[A list of previously approved products can be found here.](#)

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